

## PUBLIC HEARING

MAY 1, 2013

A public hearing of the Council of the County of Kaua'i was called to order by Jay Furfaro, Chair, Committee of the Whole, on Wednesday, May 1, 2013, at 5:05 p.m., at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, and the presence of the following was noted:

Honorable Tim Bynum  
Honorable Gary L. Hooser  
Honorable Ross Kagawa  
Honorable Nadine K. Nakamura  
Honorable JoAnn A. Yukimura  
Honorable Mel Rapozo  
Honorable Jay Furfaro

The Clerk read the notice of the public hearing on the following:

1. "Bill No. 2471 – A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2013 TO JUNE 30, 2014 (Mayor's Operating Budget)
2. Bill No. 2472 – A BILL FOR AN ORDINANCE RELATING TO CAPITAL IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2013 TO JUNE 30, 2014 (Mayor's CIP Budget)
3. Resolution No. 2013-41 – RESOLUTION ESTABLISHING THE REAL PROPERTY TAX RATES FOR THE FISCAL YEAR JULY 1, 2013 TO JUNE 30, 2014 FOR THE COUNTY OF KAUA'I,"

which was passed on first reading and ordered to print by the Council of the County of Kaua'i on March 27, 2013, and published in The Garden Island newspaper on April 7, 2013.

The following communications were received for the record:

1. Geoffrey Avery, dated April 8, 2013 and May 1, 2013
2. Thomas and Candi LaCour, dated May 1, 2013
3. Patricia Sheehan, dated May 1, 2013
4. Janis Higaki, dated April 30, 2013
5. Qiana Jackson, dated April 30, 2013
6. Anonymous, dated April 30, 2013
7. Frank Ranger, dated April 25, 2013
8. Garrett Sakakida, Hawai'i Transportation Association dated April 30, 2013 and dated May 1, 2013

9. Wendy Akita, dated April 30, 2013

Chair Furfaro: Is there any other outstanding written testimony?

JADE K. FOUNTAIN-TANIGAWA: Council Chair, currently we have four (4) people that have signed up to speak this evening.

Chair Furfaro: Will you read the first one. I will allow them to speak on any item that has been read for the agenda, for the purpose of the upcoming 2013-2014 Budget Capital Improvement Project (CIP).

The hearing proceeded as follows:

GEOFFREY AVERY: My oral testimony today is directed to the Real Property Tax rates proposed in the Mayor's budget and expand a little bit on the written testimony that I did submit which hopefully, you have in front of you. A little background, my grandfather Walter Sanborn, settled in Hanalei in 1898. He married a part Hawaiian lady named Angelina Deverill, raised a family, and lived in Hanalei until his death in 1956. Along the way, he worked for the County. He managed Princeville Ranch and established a poi factory across the street from where my home currently sits. So, you can see that my roots in Hanalei and Kaua'i are very deep. I have always wanted to simply keep the property that I inherited from him, possibly live on it after retirement, and then hand it down to my kids when I have moved on. The only way that I could do that was to rent it out as a vacation rental, which thankfully has worked out okay thus far. But vacation rentals incur far higher cash expenses than long-term rentals. So, some years I have made a modest profit and some years I have had losses. Unfortunately, for the first time in my life, I feel my continued ownership of the family property is severely threatened by the evolving tax policies of this County. I say the threat basically has three-prongs. First is the eight dollars (\$8) rate proposed for properties such as mine, Single Family Transient Vacation Rental (SFTVR). It is a sixty-five percent (65%) increase in taxes over the previous years. It raises my property tax, in particular, from forty-four percent (44%) of fixed expenses or thirty-one thousand dollars (\$31,000) and some, up to fifty-six percent (56%) or fifty-one thousand dollars (\$51,000) and that is a punishing increase to absorb. Of course, under the current policies, it is a fixed expense. It is paid whether there is any income or not, as particularly onerous for vacation rental owners who only rent for part of the year. In 2012 my property was rented for two hundred twenty-five (225) days, that is my second best occupancy level ever, only 2003 was higher. At that occupancy level, I could have paid for this proposed increase, but would not have been able to put on the new roof that I had to put on. This year, after two (2) cancellations that have not been re-rented, the occupancy is forecasted at two hundred two (202) days with no major projects, thankfully. At that occupancy level, if it does not improve, I will face a cash loss of at least three thousand dollars (\$3,000) for 2013 if this

proposed rate is adopted into law. If occupancy ever drops below two hundred (200) days, which it has in four (4) of the last ten (10) years, the loss of course, is pretty severe. The second prong that I am concerned about is the timing of the increase and you kind of addressed this in your discussions in the transportation side. The August tax installment is only four (4) months away, plus or minus a couple of weeks, but rental rates have to be set about a year in advance because that is about how far out people commit to renting. Once a reservation is made, you cannot increase the rate. Besides if you set too of high a rate, people stop coming. Since no one really knows where that price point is, rate increases have to be done judiciously. The third prong and from my point of view and this is really the gorilla in the closet, is assessed value. Property on Kaua'i, in particularly in Hanalei, has appreciated in value since the economy has improved. My assessed value in 2012 increased fifty percent (50%) from 2011, due to purchases made by very wealthy people from out of the State. I do not begrudge them and their interest in Hanalei properties, but their willingness to spend a lot of money on property is sending my tax bill through the roof. From what I can tell, the County's expenses do not increase simply because a property increases in value. Land use and density remain the same, unless you change it of course. So, infrastructure demands remain the same. If my home is worth one hundred thousand dollars (\$100,000) or ten million dollars (\$10,000,000), it is still one parcel with one (1) one thousand eight hundred (1,800) square foot home that sleeps six (6) people. If it was an eighteen thousand (18,000) square foot condo building, then I could see a higher rate because you have a higher density and more demand on the infrastructure. But since property tax rates are currently fixed, rising assessed values the County receives a windfall of revenue while the landowner takes a pretty bigger hit in higher expenses, and in my case a very substantial increase. I think that is a very unfortunate situation for all of the Kaua'i landowners. I am sure I am not alone in my dismay over the proposed tax rate on the single-family tax rate for the Transient Vacation Rental (TVR) in the Mayor's submission. So, I urge the Council, please, to consider ways to ease the burden on all landowners, really, by structuring the Real Property Taxes in such a way that rates fluctuate opposite the assessed value so that you kind of flatten out the sign curve that Councilmember Bynum referred to earlier. That way tax bill for all landowners is more consistent year over year and can be budgeted for more easily. In conclusion, I hope I have not exceeded my three (3) minutes. But I would like to see this policy, the rates fluctuating opposite the assessed values for the benefit of everybody and for the SFTVR, specifically, which I mentioned in my written testimony, my suggestions anticipate a formula based on either density, structures on the property, a ratio of square footage to the lot in total, or number of days rented in a year or even a percentage of rental income, if that is what it came to. I think it would be a much fairer tax policy for everybody and the County would still enjoy a very generous revenue stream, one that does not do this all the time. When we went into the recession, of course, the rates stayed constant so the assessed values went down. Now, they scream back up. So, it

creates a real tough situation to try and deal with that. Anyway, do any of you have any questions or if you want to throw any rocks or anything like that?

Chair Furfaro: During this period it is for the Council to take testimony, not to probe like it is a Committee or so forth.

Mr. Avery: Okay.

Chair Furfaro: May I ask you Mr. Avery, have you shared your comments with the Treasury Department and the Director of Finance?

Mr. Avery: I shared the written testimony with Mr. Hunt. I do not believe he has seen this, is that correct? The written, but not the oral? They are pretty close to each other. But I think, just if I can say one more thing, to emphasize that the assessed value versus the rates is really a killer.

Chair Furfaro: I think your point was heard.

Mr. Avery: Okay.

Chair Furfaro: Mr. Kagawa has a question for you.

Mr. Kagawa: Just a clarifying question on your written testimony and your verbal testimony. Basically, I would like to summarize in a nutshell. Your property tax from last year to this coming year will go up about twenty thousand dollars (\$20,000)?

Mr. Avery: If the eight dollars (\$8) rate is adopted, the first installment will raise it then thousand dollars (\$10,000). Then next February, an additional ten thousand dollars (\$10,000) more than I would have been paying at the current rate. The numbers get a little bit skewed because you work on a fiscal year from July to end of June, and I work on a calendar year. So, in any given year I am paying half the rate from the new year and half the rate from the old year. There is a slight discrepancy between what I said today and what is on my written testimony and that is because the one in the written testimony was based on the actual cash that I paid out each year, which is half of one year and half of another. But if the eight dollars (\$8) rate is adopted and the assessed value remains the same, my payments will increase by twenty thousand dollars (\$20,000). Did that answer your question?

Mr. Kagawa: Yes, it did. These are the kind of examples that are really helpful, actually. Thank you for the numbers.

Mr. Avery: You are welcome. Thank you for listening.

Mr. Kagawa: *Mahalo.*

Chair Furfaro: Mr. Avery, I did not see it in your testimony, you advising us what your rate was and you do not need to share that with us, but to get a complete picture of your financial assumptions, it would be good if you share with us, the two hundred twenty-two (222) days of occupancy, it would be good for us to be able to know the daily rate as well. If you could share that with me on a later date, I would be fine with that.

Mr. Avery: I would be happy to share it with you in private. I am a little reluctant to toss that out to the general public.

Chair Furfaro: That is why I posed it that way to you, but for me to look at what your net operating costs are, it starts with understanding what your gross revenue is.

Mr. Avery: Sure. No, I understand.

Chair Furfaro: Thank you. Mr. Bynum do you have a question? No. Thank you very much for your testimony.

Mr. Avery: Thank you.

Chair Furfaro: Mr. Rodrigues.

GARY RODRIGUES: I am here to testify on behalf of myself and specifically towards the proposed Kaua'i Police Department's budget.

Chair Furfaro: Gary, I have to ask you for the record to introduce yourself.

Mr. Rodrigues: My name is Gary Rodrigues from Kapa'a. The comments I am going to make is qualified by one point and that is if information that I say is lacking, is found somewhere in the proposed budget, then I would be glad to hear where it is at, but after seeing the presentation made by the Kaua'i Police Department (KPD) on their presentation to you, I began to look at the budget and it showed, to me, many points that are lacking from the standpoint of information to the public as compared to what I know is happening in the Department. I would like to point those matters out because I believe those are important matters that need to be pointed out in a budget for anyone to examine the true expenditures that is occurring in the Police Department. I did not look at any other Department for this purpose. It began with Deputy Chief Contrades talking about a proposed training structure and how it was going to be funded. But in reality, the Kaua'i Police Department is moving into a facility in Kapa'a that

could house the entire Department and maybe the entire County. They are moving to the Kapa'a Armory which is humongous and can hold many people and the facility is already built. Since the Kaua'i Police Department is going to use it, I am sure that they can find better use for the funds that they were going to use to build a structure for training. The budget cost information dealing with the Administrative Review Board (ARB) is lacking. The Administrative Review Board is set up under standards of conduct and they review all complaints against Police Officers by the public or by the Officers of the Department. The cost of that – it does not show any cost for a Review Board's operation. But actually, it takes extensive investigations from the records and apparently the moneys have been taken out of different salary accounts to fund it. As an example, I am familiar with cases that have been investigated for periods of time. As an example, one case, the Chief of Police filed a case against the Officer because the hair of the Police Officer was one (1) inch too long apparently. As it turned out, it was not. But he filed a complaint and the investigation began in 2008 and was completed in 2012. The ARB conducted a hearing, made a decision, and disciplined the Officer. The Officer grieved, the discipline was overturned, and then KPD refused to enforce the result which is now resulting in legal action. That period took four (4) years and there is no record of costs involved in that four (4) year investigation. Another complaint was filed against an employee by the Chief because the Officer responded to a call because two (2) parents were having a dispute over who should have custody of a child. Upon arriving at the place, the Officer found that at that time, Captain Quibilan who was in charge of patrol, knew one of the people involved and had given advice and now when the Officers responded, that one Officer resolved the dispute, convinced the parents to resolve the dispute and pursue it into the normal bases instead of dragging the child physically from one place to the other. As a result, the complaint was filed by the Chief of Police, an investigation happened. It took one (1) year for that investigation to be completed and the employee was disciplined for helping someone, although the Chief said that he recognized what the Officer did should be applauded, but it still should not have been done. Overtime costs for use of Patrol Officers to investigate complaints against other Officers are being paid from Patrol, but yet, there is no reference to such overtime costs used for internal investigations. The cost for the Lieutenants who present the investigations that are conducted by the Internal Investigation Unit (IVU), and they have several employees, a Lieutenant and several other ranking Officers. They investigate the complaint, they spend time and effort doing their investigation whether it is four (4) years or one (1) year, they spend all of that time, and when they are completed, the Lieutenant who is responsible for the Officer who the complaint is about, submits it to the Review Board and answers all the questions and makes the recommendation on discipline. Now, all the time and effort spent by that Officer is not recorded under internal investigations. It is under "Patrol" and it does not make sense because how can someone who did not do the investigation make a recommendation or presentation.

Ms. Fountain-Tanigawa: Council Chair, that is six (6) minutes.

Chair Furfaro: Gary, that is your six (6) minutes. But if you would like to summarize, go right ahead.

Mr. Rodrigues: Sorry.

Chair Furfaro: No problem.

Mr. Rodrigues: There are numerous other places that are covered, Workers Compensation, legal disputes, and salaries. For instance, the salaries show that they have inspectors. There are no inspectors in the Police Department and yet the budget shows that. One significant point I would like to summarize on is that in Patrol, there is no distribution of the cost for the various programs that show Officers are paid overtime to come back and issue tickets in specific programs and that the number of tickets that the Officers issue are awarded points and the number of tickets counts towards whether they are given a satisfactory rating for their performance for the whole year. If they conduct investigations on crimes and do arrests, the points awarded for arrests is less than for those giving you a Driving Under the Influence (DUI) ticket, seatbelt ticket, or a cell phone ticket, but all of those costs are not broken down. I had a whole list of costs that need to be explained, but because I am lacking of time, the closing comment is that the budget does show how much it costs to flush the toilets. Thank you.

Chair Furfaro: Gary, is some of your testimony in a written form?

Mr. Rodrigues: I can put it in written form. I do not have it in written form.

Chair Furfaro: Could you do you that within six (6) days?

Mr. Rodrigues: In six (6) days, yes. Can I E-mail it or do I have to present it?

Chair Furfaro: No, I am sure you can E-mail it directly to me.

Mr. Rodrigues: To you, okay, I will do that.

Chair Furfaro: I will take these concerns for us to review at budget time. I think it would be best to also surface it with the Police Commission.

Mr. Rodrigues: Yes.

Chair Furfaro: Mr. Kagawa.

Mr. Kagawa: Just clarifying, Gary. Thank you for your testimony. I just want to kind of make sure that I got the gist of what you are saying, is that maybe the Police budget is not transparent enough. It allows for, I guess, too much diversion of certain fund accounts to accomplish things that actually should be more specific?

Mr. Rodrigues: You are correct, and it also actually hides things. For instance, I do not know if you know, or if you knew of the different expenditures and what it has being used for because I cannot find it anywhere. As a citizen, if I write to the Police Department and under the Freedom of Information Act, I asked for the expenditures, how will they be able to tell me? Do they have records that you do not know about or the Department of Finance does not know about, because I am entitled to know under the Freedom of Information Act.

Mr. Kagawa: Like the Chair said, if I could get a copy of that, (your testimony) then I could call you for more clarifying questions.

Mr. Rodrigues: Yes, I will definitely submit my complete testimony in writing.

Mr. Kagawa: Thank you, Mr. Chair.

Chair Furfaro: Will you see that Mr. Rodrigues has my contact information and I will share your testimony with other members.

Mr. Rodrigues: Thank you.

Chair Furfaro: Other questions for Mr. Rodrigues? If not, thank you very much. Next speaker, Neill Sams.

NEILL SAMS: Good evening Councilmembers. I am Neill Sams with the Kapa'a Business Association (KBA). I am here to see if we could maybe have some funds allocated or changed in the Department of Parks and Recreation budget, because we are hoping to get the Sports Fields/Parks Project completed, and right now I understand that it is not in the budget. We met with Lenny Rapozo, Parks and Recreation, last year regarding this issue and we were assured that it would be in the budget this year. It is not, and it is critical in two areas. We need the sports fields. It is nice to have them consolidated in one area. It also takes the pressure off of Kapa'a Beach Park, which is currently being used for soccer events. The goal that has been set forth since 1974 in the Kapa'a-Wailua



Development Plan has been for that to be a passive park. It could be the crown of Kapa'a Town. It could be a beautiful park that the community gathers around. We have worked with some of the Councilmembers here on the plan that would see that come about. I have some of the art work right here that we have done. I am getting tired of bringing this to Council Meetings. This is from 1974 the Kapa'a-Wailua Development Plan which outlines making Kapa'a Beach Park into a passive park. The opportunity to do that comes about when we put in these new sports fields. The Kapa'a Business Association does not want to remove the sports capabilities at the Kapa'a Beach Park until there is a replacement for that. So, having the sports fields come about gives a place to have all of our families and sporting activities in one area, which is really nice. It also helps the town because now the town can make the park what it is supposed to be and make it a place for the community. What we are asking for is to have the funding either be reallocated from where it is in the Department of Parks and Recreation or additional funding be put in towards the project. As a side note or part of it, we would like to see a plan for Kapa'a Beach Park be put in the budget as well, so that the design can start. We would be more than happy to assist anyone in creating that plan. I have kind of done that mentally over the last twenty (20) years. There is a good basis for that already.

Chair Furfaro: Neill, that is your first three (3) minutes. You have an additional three (3) minutes.

Mr. Sams: Well, I think I hit pretty much most of what I wanted to talk about it. I just think it is good for the community. It is a win-win for the families and for the business community in downtown Kapa'a. It was something that was assured to us last year, that would be in the budget this year and we were kind of caught unaware that it was not in there. We are hoping that it can be remedied and put into the budget and have it come to fruition.

Chair Furfaro: Neill, the last time you gave us testimony, I think some of us encouraged you also to speak to the County's Long-Range Planners. Have you had any time with the Planning Department?

Mr. Sams: It has been an incredibly busy year for me personally and being in the flower and orchid business with Mother's Day, we are over our heads. I guess I would like to be able to do that within a month. But for the next couple of weeks, I know I am pretty much tied up. We spoke with them last year and I guess the impression that I got was that it was going to happen and we did not really need to follow-up at that point, but I think now we do. I was kind of waiting for them to contact us so that we could relay all of our information. I am sure it is just a matter of us sitting down, if the funding is there, sitting down and working together on it. I do not see any issues as far as working with the Department of Parks and Recreation on it. They seem to like our ideas from a year ago. It was a good meeting. I just thought things were going to happen.

Chair Furfaro: May I ask for your testimony, I interpreted that there are a couple Councilmembers that may be aware of what your plan is. Did I make the right assumption?

Mr. Sams: That is correct. Nadine Nakamura worked on the East Kaua'i Community Development Plan. Tim Bynum has been aware of some of this through his association with the Kapa'a Business Association over the years. Gary Hooser, I think is aware of some of this. I know he was, way back in the day – see this actually goes back over twenty (20) years, so I know Gary's involvement would have been maybe ten (10) to twelve (12) years ago.

Chair Furfaro: Actually, it goes back thirty-six (36) years.

Mr. Sams: Yes, that is true, time flies. I was not sure what Gary – well, there is a lot of things in here besides the beach park.

Chair Furfaro: I just said that because I remember going to the first meeting. I was the Executive Assistant at the Sheraton Coconut Beach Resort then. So, it was a while ago.

Mr. Sams: You pre-date me on that.

Chair Furfaro: Vice Chair has a question, and then  
Mr. Bynum.

Mr. Sams: Sure.

Chair Furfaro: Did you have a question, Nadine. I am sorry.

Ms. Nakamura: I just wanted to find out if it was previously in the CIP budget for the Kapa'a field, is that correct?

Mr. Sams: I heard it was not in it.

Mr. Bynum: It is not in this year.

Ms. Nakamura: Was it previously in the budget?

Mr. Bynum: We already have – yes. We have spent County money, we did an Environmental Assessment (EA) and conceptual design. We acquired the land and this was always the plan, move the soccer youth there in order to redesign the town park.

Ms. Nakamura: Do you recall how much was needed for the next phase?

Mr. Bynum: Three hundred thousand dollars (\$300,000) for the design is what the 6-year CIP plan says, but it is not for several years.

Mr. Sams: We are hoping to, I guess, to accelerate that into "the now." Again, that was based...

Ms. Nakamura: I believe that representation was made when we had the gathering at the Kapa'a ball field to talk about the future improvements at the ball field, the locker room, and then the next piece was going to be this soccer field.

Mr. Sams: Right.

Ms. Nakamura: So that the soccer use could be moved over.

Mr. Sams: There is phasing to all of this that is critical, and we just want to make sure for the record, that we do not want to proceed with Kapa'a Beach Park until we have other facilities. So, that is why the two link together, because we do not want to displace any kids. We are in support of them.

Ms. Nakamura: Thank you, we will follow-up on this.

Chair Furfaro: Mr. Bynum.

Mr. Bynum: Are you aware that our Department of Parks and Recreation has a Planning Division? There are now three (3) employees, as hired part-timers. Are you aware of this?

Mr. Sams: I heard they did. I have not been contacted by anyone nor have we had time really to go. Unfortunately, with all of these community associations, everything is volunteer. All of my work on this is all in my spare time, which in the last six (6) months has been zero. I am just looking forward to getting together with them and going over all of this.

Mr. Bynum: In terms of creating a plan for Kapa'a park, I think that is something that we anticipated when we funded, that it would happen in-house. If we have a full-time Park Planner, I think this is the kind of thing for the Park Planer to do. (inaudible)

Mr. Sams: It starts with the plan.

Mr. Bynum: You do not want to eliminate the needed soccer field.

Mr. Sams: Correct.

Mr. Bynum: That has to be dealt with before we deal with the park?

Mr. Sams: That is correct. There is a phasing there that is critical.

Mr. Bynum: So that is what you are referring to when you said phasing is important.

Mr. Sams: Yes, the phasing in the sense that we would love to see, a plan for the conversion of Kapa'a Beach Park to a passive park. However, we also we need to actually physically get the parks, the soccer fields, or the sports fields built in order to make that plan viable. That is the phasing I am talking about, is that we want to push the sports fields and we could simultaneously do a plan. But we would not want to implement the plan on Kapa'a Beach Park until the alternate sports field were completed or very close to completion.

Mr. Bynum: Thank you.

Chair Furfaro: JoAnn, you have the floor.

Ms. Yukimura: Thank you. Hi Neill.

Mr. Sams: Hi JoAnn.

Ms. Yukimura: First of all, you are speaking for the Kapa'a Business Association?

Mr. Sams: Correct, yes. This has been an approved item on our agenda for a long time.

Ms. Yukimura: Great, and your request is for moneys for two (2) park plans, right? One (1) is for the design of the sports field and you also mentioned a plan for – I guess you have used the names interchangeably, Kapa'a Beach Park and Kapa'a Town Park?

Mr. Sams: Correct, yes. Now, I believe, and Tim and Nadine might correct me if I am wrong, but I believe that the plan for the sports fields is done. Am I right on that?

Mr. Bynum: The Environmental Assessment and the conceptual design are done. So, the County acquired the land, we paid for – this project had legs and then it stalled for about four and a half (4½) years ago, other projects went before it. I just think it does to need to be either or.

Mr. Sams: Okay, so...

Chair Furfaro: Excuse me, Neill.

Mr. Sams: Okay, I am sorry.

Chair Furfaro: You do not interact by having discussion across the table. The floor was with JoAnn. Your question was answered. JoAnn, you have the floor again.

Ms. Yukimura: My question is about two (2) different plans and the Town/Beach Park Plan?

Mr. Sams: Yes.

Ms. Yukimura: What kind of moneys are you looking at?

Mr. Sams: That is a good question. It is something that I would guess twenty-five thousand dollars (\$25,000) or something like that might be the right number to do that. It is something that I would think could be done maybe even cheaper. I know we could do drawings, three-dimensional of these kinds of things for ten thousand dollars (\$10,000) or fifteen thousand dollars (\$15,000), but it always seems to get into a lot more money when we look at outside consultants.

Ms. Yukimura: Right.

Mr. Sams: I am kind of throwing out a number. But I would think twenty-five thousand dollars (\$25,000) would probably be a fair number to do a Beach Park Plan.

Ms. Yukimura: Of course, depending on this new planner whom we have not met yet. If they have capabilities, they might be able to work in-house with the community or with the Business Association.

Mr. Sams: Yes, I would hope so. I think that would be a great solution, if we could do it in-house.

Ms. Yukimura: If there is the capacity.

Mr. Sams: Yes, and if the staff is there now, then that would be a great solution. We would be more than willing to work with the planners and the Planning Department to make it happen. Just to answer the first part of your question, that Tim helped me answer. The other plan does exist. I think what we are asking for as far as the Sports Field Project is to get the money in the budget to actually start building these things or to push it that way. I think that is past the planning stage, unless the plan needs some type of revamping to make it more current. I am not sure. I think the only thing we are asking for is a plan for the Kapa'a Beach Park and funding to get the soccer fields or sports fields created. We own the land as far as I know, and it has been a long time for that as well, not thirty-four (34) years, but quite a while?

Ms. Yukimura: If there are plans for the sports field, then you are talking about the figure three hundred thousand dollars (\$300,000) for construction of the sports field?

Mr. Sams: I think that is a fair number. I would think the Department of Parks and Recreation would be a better source of defining that number. But I have heard three hundred thousand dollars (\$300,000) was a number used when they were doing the Lydgate soccer fields. Now, that has been what, seven, eight years, maybe ten. I do not know, but that was the number being used back then so it may be that the number is still good or maybe not. I do not know, but somewhere in that range, of three hundred thousand dollars (\$300,000), four hundred thousand dollars (\$400,000), I would expect.

Ms. Yukimura: Is the soccer field the size the Kapa'a Sports Field would be – Lydgate soccer?

Mr. Sams: Yes, I think it is comparable to Lydgate, if not a little bit larger.

Ms. Yukimura: Thank you.

Chair Furfaro: I want to just focus on the testimony here and not turn this into a Department of Parks and Recreation meeting. I think you better check the information you just gave because I do not think they are of equal size. Mr. Bynum and then Nadine. You are *pau*, Mr. Bynum.

Mr. Bynum: Lydgate, the three was about one million two hundred thousand dollars (\$1,200,000) to pay for it. The Administration gave us the 6-year CIP. They said three hundred thousand dollars (\$300,000) for design and three million dollars (\$3,000,000) to build. Now, I have a hard time with that because we are talking two (2) full-sized soccer fields, a bathroom, and a comfort station. Why that would cost three hundred million dollars (\$3,000,000), I do not

know, or why the design would cost three hundred thousand dollars (\$300,000), I do not know, because it is two (2) fields with irrigation, a parking lot, and a restroom. It is not as big as Lydgate, but it will accommodate two (2) full-size fields and amenities. It is directly across that canal from Kapa'a Nui Park. So, there is also some discussion about bridging that. Maybe that is why it is three million dollars (\$3,000,000). I will have to ask the Administration, but you are right, we should not go further with that now. Thank you for your testimony.

Mr. Sams: Thank you.

Chair Furfaro: Mr. Hooser, did I see your hand?

Mr. Hooser: No.

Chair Furfaro: Any more questions from this side? Neill, I am going to send a communication over. Evidently everybody is very excited about the new County Parks Planner we have hired. I will send over communication and see if we can get introduced to him. Could you hold up the book one more time please?

Mr. Sams: Oh, this?

Chair Furfaro: Yes.

Mr. Sams: Hopefully, this is the last time.

Chair Furfaro: I want to make sure that everybody understands, this is the Development Plan for Kapa'a-Waipouli area. It is not a plan only for parks.

Mr. Sams: Correct.

Chair Furfaro: That is a subsection of the plan.

Mr. Sams: Yes.

Chair Furfaro: Thank you for that.

Mr. Sams: Thank you for your time everyone. I appreciate it.

Chair Furfaro: Hold on Neill. We have one more question.  
Mr. Hooser.

Mr. Hooser: Not a question, Chair. Just for the record, I am on the Board of Directors for the Kapa'a Business Association. It was public testimony so I figured it was okay, but I am not sure what the protocol is on voting on the message, but I am on the Board.

Chair Furfaro: Thank you for sharing that, Mr. Hooser. Thank you, Neill. Our next speaker for tonight is Pat Gegen. Do I get your last name right or not? Is it Gagen or Gegen?

PAT GEGEN: Gegen, would be the correct German pronunciation, yes. My testimony tonight is actually going to be two pronged. The first is more Pat Gegen editorializing and the second will actually be a testimony from Zero Waste Kaua'i. I feel for you folks. We have had plenty of years of increasing budget. Unfortunately, the money coming into the County has decreased over time and we are at a point where that cannot continue. You have got tough decision to make, folks like Avery from Hanalei unfortunately, that kind of increase makes it hard for folks. The editorial part is where I like the user fees or the taxes that are more related to the distinct services that they are related to, like the Fuel Tax, or the waste area and "Pay As You Throw." The more you throw away, the more you pay. It is a very clear relationship. So, to me, those are much easier as a member of the public to deal with. If I drive more, I pay for more repairs. I pay more to make the transportation system better. If I waste more, I pay for those services more.

Now from the Zero Waste standpoint. Thank you for that opportunity, but I would just like to say that I know this year on the budget, there is money being set aside to get moving on the Materials Recycling Facility (MRF). I just want to urge you to make sure that money stays in there and that we continue to progress down that aisle as much as we can. This is another area where unfortunately, the County kind of got behind itself with the fact that Kekaha is filling up. We do not have another alternative in place. Granted, we are going down that road, but it is many years away and we are coming into some very difficult times, and had the elements of the Integrated Solid Waste Plan incorporated sooner and "bite the bullet," so to speak, we might not be in the position that we are today. I urge you to continue to move that process forward. The second concern, and it is kind of a question just about due diligence and whether we have taken a look at this or not. That is, I believe there is eight million (\$8,000,000) to nine million dollars (\$9,000,000) set aside for expansion for the Kekaha Landfill. When you take a look at that type of expenditure, I ask you is that sustainable? It is not. That is money we are basically burying. We are going to do what we need to so we can bury more trash there. My question to you folks is, have we explored the opportunities to see if there is any sort of diversion activities that we could increase, that we could go after that would still allow us to use the Kekaha Landfill for the same period of time, but at the same time set up for a future of resource recovery moving in that direction? I would



rather see you build infrastructure, spend money on developing capabilities here that we could use far into the future than to just spend eight million dollars (\$8,000,000) to get the landfill set up so we can fill it, cap, and call it done.

Chair Furfaro: That is your first three (3) minutes.

Mr. Gegen: Thank you. With that, I am finished, Chair.  
Thank you very much.

Chair Furfaro: Questions for Pat? Anyone? If not, Pat as always, thank you for your testimony.

Mr. Gegen: Thank you and have a good evening.

Chair Furfaro: We have a whole meeting to go. On that note, I am going to find myself asking one more time, is there anyone that has testimony regarding the budget? I can allocate you six (6) minutes come right up.

Mr. Avery: May I just make up a correction to something that I said earlier?

Chair Furfaro: You certainly may. Come right up.

Mr. Avery: I need to correct a number that I quoted Councilmember Kagawa. In my oral testimony I said fifty-one thousand dollars (\$51,000) would be the new Tax Bill. When I went back to my seat, I said that it did not sound right and it is not. It is more like fifty-three thousand eight hundred dollars (\$53,800) and that is based on the 2013 appraised value. I think I mistakenly used the 2012 appraised value. That is all.

Chair Furfaro: Jeff, thank you very much.

Mr. Avery: Thank you.

Chair Furfaro: I look forward to hearing from you in the future.

Mr. Avery: Off the record, I can meet with you tomorrow.

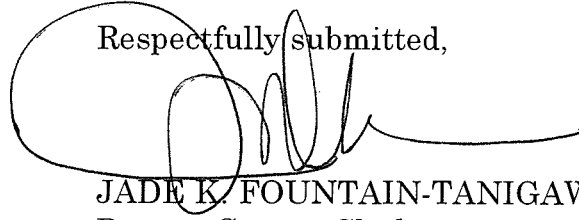
Chair Furfaro: You know what, I have a window for half an hour tomorrow from 9:30 a.m. to 10:00 a.m.

Mr. Avery: I can be here at 9:30 a.m.

Chair Furfaro: I will see you then. Are there any more speakers on our budget for the Committee of the Whole? Budget hearings are closed and we go back to our regular agenda. I will turn it back to you and hopefully we can finish our business by 7:00 p.m. and then the staff can go home rather than continuing and then taking a dinner break and continuing. Is that acceptable?

There being no further testimony on this matter, the public hearing adjourned at 5:52 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jade K. Fountain-Tanigawa', written over the printed name.

JADE K. FOUNTAIN-TANIGAWA  
Deputy County Clerk

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